

FLIESLER MEYER LLP

INTELLECTUAL PROPERTY LAW

FOUR EMBARCADERO CENTER • FOURTH FLOOR
SAN FRANCISCO • CALIFORNIA 94111-4156
TELEPHONE 415.362.3800
FACSIMILE 415.362.2928
INTERNET WWW.FML.COM

**RECEIVED
CENTRAL FAX CENTER**

SEP 27 2004

TO: Group Art Unit 2154

FAX NO.: (703) 872-9306

FROM: Bryon Wasserman, Registration No. 48,404

RE: U.S. Patent Application No. 09/657,370
Inventor: Lester D. Nelson
Entitled, "Method for Generating Conversation
Utterances to a Remote Listener in Response
to a Quiet Selection"

Our File: FXPL-01016USO

DATE: September 27, 2004 Total Pages : 11, including cover sheet

Original will follow by mail: No

If you do not receive all of the pages, please call Bryon Wasserman at
(415) 362-3800.

MESSAGE (If any):

Attached please find the following:

- 1) Response to Official Action dated June 25, 2004;
- 2) Transmittal Form;
- 3) Deposit Account Authorization; and
- 4) Certificate of Facsimile.

This facsimile is intended only for the addressee and those authorized by the addressee to receive it. Any use, dissemination, distribution or copying of this facsimile by any others is prohibited. Any others receiving this facsimile are requested to notify FLIESLER MEYER LLP immediately by telephone or fax and to return the original facsimile to FLIESLER MEYER LLP.

PTO/SB/21 (09-04)


Approved for use through 07/31/2006. OMB 0851-0031

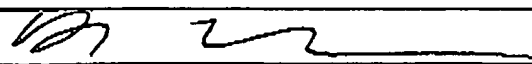
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM	Application Number	09/657,370
	Filing Date	September 8, 2000
	First Named Inventor	Lester D. Nelson
	Art Unit	2154
	Examiner Name	Jinsong Hu
(to be used for all correspondence after initial filing)		
Total Number of Pages in This Submission	11	Attorney Docket Number FXPL-01016USO

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Certificate of Facsimile Transmission Deposit Account Authorization
Remarks The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 08-1325 for any matter in connection with this response.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Fliesler & Myer LLP		
Signature			
Printed name	Bryon Wasserman		
Date	September 27, 2004	Reg. No.	48,404

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Bryon Wasserman	Date	September 27, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT**RESPONSE UNDER 37 C.F.R. §1.116
EXPEDITED PROCEDURE - EXAMINING GROUP 2100****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application

Inventor: Lester D. Nelson

Application No.: 09/657,370

Confirmation No.: 3329

Filed: September 8, 2000

**Title: METHOD FOR GENERATING
CONVERSATION UTTERANCES TO A
REMOTE LISTENER IN RESPONSE TO A
QUIET SELECTION**

Art Unit: 2154

Examiner: Jinsong Hu

**RECEIVED
CENTRAL FAX CENTER
SEP 27 2004**

Customer No.: 23910

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the Commissioner for Patents, the United States Patent and Trademark Office, Examining Group 2154, Facsimile No. (703) 872-9306, on September 27, 2004. Total number of pages transmitted: 11.

September 27
Signature Date

Attorney Signature

Bryon Wasserman
Reg. No. 48,404**RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 1.116**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Response is in reply to the Office Action mailed June 25, 2004. Please amend the application as follows.